



City of Albuquerque

Legislative File Number O-06-9 (version 2)

## **CITY of ALBUQUERQUE SEVENTEENTH COUNCIL**

Amending Sections 5-5-3 And 5-5-19(D) ROA 1994, Portions Of The Public Purchases Ordinance, To Insert Provisions Regarding The Water Utility Authority.

## **CITY of ALBUQUERQUE SEVENTEENTH COUNCIL**

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. Section 5-5-3 ROA 1994 (DEFINITIONS) is amended by inserting the following new definition in proper alphabetical order:

“WATER UTILITY AUTHORITY. The Albuquerque Bernalillo County Water Utility Authority, a political subdivision of the State of New Mexico created by Laws 2003, Chapter 437 (Section 72-1-10 NMSA 1978).”

Section 2. Subsection 5-5-19(D) ROA 1994 (APPROVAL OF PURCHASES) is amended as follows:

“(D) For all procurements and approval of contracts and purchases [~~on behalf of the Albuquerque Bernalillo County~~] [+ by or for the] Water Utility Authority [+ or the Water Utility Department (or its successor) +] pursuant to this article or pursuant to other city ordinances requiring [~~City~~] Council approval, [~~the Council hereby delegates its approval authority to the Albuquerque Bernalillo County Water Utility Authority~~] [+ in the Public Purchases Ordinance where “Mayor” appears, substitute “Executive Director of the Water Utility Authority” and where “City Council” appears, substitute “Water Utility Authority” +].”

Section 3. SEVERABILITY CLAUSE. If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The Council hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

Section 4. COMPILATION. This ordinance shall be incorporated in and made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

Section 5. EFFECTIVE DATE. This ordinance shall take effect five days after

publication by title and general summary.

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